

REMARKS

The claims as presented distinguish over U.S. Patent No. 4,613,627 to *Sherman et al.* and WO 91/02186 to *Tiefenbacher et al.*, cited during prosecution of U.S. Patent No. 5,662,731, since neither of these references teach or suggest the use of a “biodegradable coating” on at least a portion of a starch-bound cellular matrix. *Sherman et al.* discloses no coatings, since the invention therein is an acoustic ceiling tile, let alone biodegradable coatings.

WO 91/12186 (“WO ’186”) discloses three different types of sheet-like or thread-like materials that may optionally be co-molded into the starch-based articles disclosed in WO ’186, namely (1) paper, cardboard and other fibrous materials; (2) temperature-stable plastics, such as polyethylene terephthalate (PET); and (3) aluminum. (WO ’186, page 37, bottom third, through page 38, first paragraph.) It is well-known that many synthetic plastics such as PET are not readily biodegradable and can persist in the environment for long periods of time, even if placed within conditions which promote composting. Likewise, aluminum and even paper and cardboard have been known to persist in the environment for lengthy periods of time.

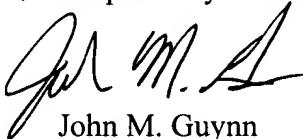
Accordingly, Applicants are presenting herewith new independent claims which specifically recite “a biodegradable coating on at least a portion of the starch-bound cellular matrix.”. Support for this limitation is generally found throughout the patent, which emphasizes that the starch-based articles of the present invention are preferably biodegradable so that they will not persist in the environment for lengthy periods of time following their intended life-span. Express support is found at col. 56, line 54 through col. 57, line 24, with specific examples of polymers inherently known to be biodegradable being dispersed throughout the lengthy list (e.g., polylactic acid, polyhydroxybutyrate-hydroxyvalerate copolymer, cellulose acetate, specific cellulosic ethers, polyvinyl alcohol, polyvinyl acetate, soybean oil, and the like).

Because WO '186 neither teaches nor suggests the use of biodegradable polymers as coating materials, Applicants believe that the independent claims are neither anticipated by, nor obvious over, WO '186.

In the event that the Examiner finds any remaining impediment to the prompt allowance of this reissue application, which could be clarified by a telephonic interview, or which is susceptible to being overcome by means of an Examiner's Amendment, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Dated this 2nd day of September 1999.

Respectfully submitted,



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